

DEVELOPMENT REVIEW BOARD REPORT



MEETING DATE: June 9, 2005

ITEM NO. ____10____

CASE NUMBER/ PROJECT NAME	ASU-Scottsdale Center for New Technology and Innovation 26-ZN-2004		
LOCATION	Southeast corner of Scottsdale Road & McDowell Road		
REQUEST	Review requested development standards for the ASU/City of Scottsdale Planned Community District zoning application.		
OWNER	City of Scottsdale, Arizona	DEVELOPER	- Arizona State University Foundation - Higgins Dev. Partners - The Plaza Cos.
ARCHITECT/ DESIGNER	Pei, Cobb, Freed & Partners DMJM Design Architects	APPLICANT/ COORDINATOR	Lisa Collins c/o City of Scottsdale 480-312-7616
BACKGROUND	Zoning/History.		

The City of Scottsdale is processing a rezoning case for the approximately 42 acres that was the old Los Arcos Mall site. The current zoning is C-3 (Highway Commercial) and C-S (Regional Shopping Center) District. The City is seeking to rezone to a PC (Planned Community) District.

In July 2004, the City Council adopted Resolution No. 6512 authorizing acquisition of the property by the City of Scottsdale. Committed to increasing its standing as a national research facility through expansions within the Valley, the ASU Foundation approached the City regarding the potential of developing a new creativity campus of approximately 1.2 million square feet on the former Los Arcos Mall site. On August 9, 2004, the City of Scottsdale (landlord) and ASUF Scottsdale LLC (tenant) entered into a 99-year lease agreement (with an option for a second 99-year extension) for 37-acres of the site for development of the "ASU/Scottsdale Center For New Technology and Innovation". The lease outlined the parameters for developing the site with a research/office park focus including support retail, restaurant and residential uses. The City retained 5-acres of the property for future development (See Attachment 2A).

An ASU Scottsdale Ad Hoc Advisory Working Group was selected by the City Council on November 16, 2004. This group of eleven citizens met weekly working with city staff and Urban Design Associates (UDA) to provide community perspective and seek neighborhood input. They hosted a series of focus groups with residents, commercial property owners and other community leaders to gather input on planning concepts relating to: opportunities and constraints for the Scottsdale McDowell Road Corridor; a framework plan for the ASU Scottsdale site; and land use options for the 5 acres retained by the city. The Working Group was presented with information on a range of topics that

provided the basis for a Design Charrette during the week of January 10, 2005. The meeting topics leading up to the Design Charrette included: Economic Vitality and Land Use; Public Open Space and Sense of Place; Connections and Integration of Pedestrian, Vehicular, Bicycle and Transit to Adjacent Areas; Revitalization Opportunities and Techniques; and the Parameters of Development.

The week-long Design Charrette utilized information and comments gathered over the weeks of working group meetings and the initial focus group meetings to generate conceptual framework plans and design guidelines along with guiding principles for the area. The Community Workshop on Thursday evening of the Charrette week included a presentation on ideas for the site and surrounding areas along with an additional series of focus groups with the attendees to get more feedback on the ideas presented.

The community perspectives and neighborhood input gathered during the public outreach process are reflected in a report (Attachment 6). The report provides general background, vision and guiding principles, and development guidelines. Over 200 individuals participated and provided information and comments to help create this document.

Context.

The site is located at the major intersection of Scottsdale Road and McDowell Road. The site has significant frontage along the McDowell Road corridor, Scottsdale Road (City's namesake road) and 74th Street, a street that accesses the residential neighborhoods to the north and south of the site. The uses along both Scottsdale and McDowell Roads are primarily commercial in nature.

Adjacent Uses:

- North: Auto dealer and various commercial/restaurant uses (C-3 and C-4)
- South: Multi and single family neighborhoods (R-5 – Multi-Family and R1-7, Single Family Residential)
- East: Commercial and religious use (C-S)
- West: Commercial uses (C-3)

APPLICANT'S PROPOSAL

Applicant's Request.

The request is for the Development Review Board (DRB) to hear the proposed modification to the development standards allowed under the PC District. Pursuant to Section 5.2102.C. of the City of Scottsdale zoning regulations, the DRB shall first review the proposed modification to the development standards. The PC District regulations further state that all land uses within the district shall conform to the property development standards of the comparable zoning district unless amended by the City Council. The proposed PC District is utilizing land uses comparable to the PRC (Planned Regional Center), C-O (Commercial Office) and I-1 (Industrial Park) zoning districts.

With restrictions appropriate for an innovation center, the City proposes development standards in which the Planning Commission and City Council must find that the standards and any amendment to the standards 'produce a living environment, landscape quality and life-style superior to that produced by the existing standards.' The following table depicts the development standards requested.

ASUF/COS DEVELOPMENT STANDARDS

CATEGORY	DEVELOPMENT STANDARD
FLOOR AREA RATIO	<i>In no case shall the gross floor area of a structure exceed the amount equal to eight-tenths multiplied by the net lot area of the P-C site in square feet.</i>
VOLUME RATIO	<i>Volume ratio. In no case shall the volume of any structure exceed the product of the net lot area of the P-C site in square feet multiplied by sixteen (16) feet.</i>
BUILDING HEIGHT	<p><i>No building shall exceed sixty (60) feet in height except as otherwise provided in Article VII or this subsection.</i></p> <p><i>Where the City Council determines that a freestanding ornamental monument meets the criteria set forth below to justify a height greater than that normally allowed within the P-C zone, the City Council may approve a height for a freestanding ornamental monument in excess of the height allowed in the P-C zone. A freestanding ornamental monument shall not include signage.</i></p> <p><i>a. The Development Review Board and Planning Commission shall review and pass a recommendation on to the City Council based upon the following criteria:</i></p> <p><i>(1) Amended height for such monument shall be based on the context and character of the site and surrounding area.</i></p> <p><i>(2) Such monument shall take into account Scottsdale's history and location within the Sonoran Desert environment.</i></p> <p><i>(3) Such monument shall be designed so as to provide a focal point, which provides scale and balance to a particular site.</i></p> <p><i>(4) Such monument will be considered a community amenity and add to the city's quality of life.</i></p> <p><i>(5) Such monument shall be accessible by pedestrians and not isolated in site design.</i></p>
FRONT YARDS	<i>A minimum of twenty-five (25) percent of the total open space requirement shall be provided as frontage open space to provide a setting for the buildings, visual continuity within the community, and a variety of spaces in the streetscape</i>
SIDE AND REAR YARDS	<p><i>Buildings thirty-six (36) feet or less in height shall be set back not less than fifty (50) feet from any residential zoning district. Buildings more than thirty-six (36) feet in height shall be set back not less than two (2) feet for each foot of building height from any adjacent residential zoning district.</i></p> <p><i>All operations and storage shall be conducted within a completely enclosed building or within an area contained by a wall or fence as determined by site plan or Development Review Board approval.</i></p>
OPEN SPACE REQUIREMENTS	<p><i>In no case shall the open space requirement be less than twenty (20) percent of the net lot area except as provided in section 5.2604C.3.</i></p> <p><i>The P-C district shall have a portion of the development oriented towards a courtyard or mall with buildings enclosing the courtyard, and opening onto the courtyard from at least three (3) sides. The courtyard or mall shall be a minimum of one (1) percent of the net lot area of the P-C site in square feet. The courtyard or mall shall be considered to be open space. If, in the opinion of the Development Review Board, a suitable alternative design solution is presented, the courtyard requirement may be waived. Open space required under this section shall be exclusive of parking lot landscaping required under the provisions of article IX of this ordinance.</i></p>
DENSITY	<p><i>1. Hotels or motels shall provide a minimum gross land area of two thousand (2,000) square feet of land per guest room.</i></p> <p><i>2. Dwellings shall provide a minimum gross land area of two thousand (2,000) square feet per dwelling unit. Floor area devoted to dwellings shall not be included in calculating maximum floor area as provided in section 5.2604A.</i></p>
PROPERTY SIZE	<i>The gross land area on which there is a P-C development shall not be less than twenty-five (25) acres.</i>
OFF-STREET PARKING	<i>The provisions of article IX shall apply, except all non-office commercial uses shall be parked at 1 space per 300 gross square feet. Structured parking shall not be calculated towards provided floor area ratio and provided volume.</i>
SIGNS	<i>The provisions of article VIII shall apply except a master sign plan shall be submitted at the time of development review application.</i>

DISCUSSION

Existing and Comparable Zoning Districts:

The existing zoning districts, Highway Commercial and Regional Shopping Center, by their names create a development that allows for typical suburban-type commercial and a mall type development. The proposed PC District attempts to utilize land uses from three different zoning districts. The goal of the Arizona State University-Scottsdale Center for New Technology and Innovation is to create development that has a research and technology oriented set of uses with a site plan that embraces a more infill/pedestrian building pattern that incorporates buildings/storefronts along the street, large shaded sidewalks, hidden parking facilities and an open to public feel. In order to accomplish this goal, the City proposed utilizing the PC District to create a set of development standards that allows this type of built environment.

Proposed Zoning and Development Standards:

Under the provisions of the PC District, the regulations from the comparable zoning districts of PRC, C-O and I-1 set the base for the development standards.

Attachment #1 outlines the proposed amendments to the development standards that the DRB is requested to review per the zoning ordinance. The development standards do the following:

- Set the building height at 60 feet (same as the PRC zoning district). The additional parapets and enclosures for mechanical screening purposes are still allowed above the 60 foot height limitation, per Section 7, General Provisions;
- Set the maximum Floor Area Ratio (FAR) for each of the parcels at .8 (Same as the PRC District);
- Establish a 30 foot building setback from curb which creates a large sidewalk and double tree planting area on either side of the sidewalk between the street and building face for the purposes of creating an urban type open space versus a suburban type open space;
- Set parking requirements at 1 space per 300 square feet of gross floor area; and
- Decrease building setbacks to allow a more pedestrian oriented environment with parking facilities screened and located away from public and pedestrian spaces.

Proposed Amendments to the PC Development Standards:

The main development standard differences are discussed below. The amendments to the PC standards also provide clarification and eliminate certain minor provisions in the PC district not applicable to this site.

- **Floor Area Ratio - .8 excluding verbiage limiting square footage of non-residential buildings.**

Justification:

The .8 FAR is consistent with the PRC District and the lease agreement. The only modification is reflected in the additional language of the PRC FAR requirements that limits office floor area in non-residential buildings to forty (40) percent and limits dwellings not to exceed fifty (50) percent of non-residential buildings. This language was meant to ensure a balance of mixed land uses so that one land use did not dominate the non-residential buildings. The additional language does not allow for the predominantly research and office center with support retail and residential land uses to

develop buildings with office to retail and office to residential uses above those limits.

- **Open space – How open space requirements are calculated as the height of buildings increase and frontage open space requirements under the front yard provision.**

Justification:

The wording of the ordinance within the PRC District requires additional open space for the higher the buildings develop on the site. The language also says this open space requirement shall not exceed 20% of the net lot area. The proposed modified development standard simply states that there be a minimum of 20% open space on site, essentially requiring the same amount with straightforward language. In addition, stipulations add language to provide streetscape features along Scottsdale, McDowell and 74th Street and internal streets and public outdoor gathering space requirements. This additional language is not considered an amended development standard because it provides for additional open space and building setbacks requirements. The goal of the additional language is to create a more urban/pedestrian environment by placing the buildings closer to the sidewalks and street frontage. By removing the language regarding the frontage open space calculations, the development standards create a 30-foot open space/pedestrian amenity area with large sidewalks, densely planted tree rows on either side of the sidewalk and building enhancements to engage the pedestrian.

- **Parking calculations – 1 space for every 300 square feet of gross floor area. Parking Structures are excluded from floor area ratio and volume ratio calculations.**

Justification:

The 1 space per 300 square feet of gross floor area is consistent with office type uses, but not the retail type land uses that use a 1 space to 250 square feet ratio. The 1:300 method of calculating required parking is simplified because of the mixed-use nature of the development. The calculation is related to the primary uses on this site, which are office, research and development uses, retail and restaurant uses. Because of the limited amount of retail/restaurant uses (135,000 square feet per the lease between ASUF and the City) and the design of the main boulevard with on-street parking does not require intense parking areas for the non-office type uses. Residential uses will still be calculated per the zoning ordinance requirements.

In addition, with the design of the framework plan, which screens the proposed areas where parking structures would be located, the overall mass (volume) of the structures is minimized. The intent of the proposed PC District development standards is to create a more urban/pedestrian environment. By placing the parking in structures, the site will have less at-grade parking fields and more open space opportunities. Therefore, similar to the city's Downtown Ordinance where there are no volume limits and no open space requirements, the amended standard regarding not calculating parking structures into the floor area ratio and volume will enable the floor area and volume requirements to be applied to the buildings along the public streets and the main east/west boulevard to screen the parking structures.

- **Building step back requirements**

Justification:

The building height allowed in this district is 60 feet. This height is most comparable to the PRC district, which includes an additional building step back provision. A step back requirement discourages the placement of all buildings 60 feet high either along the street or near abutting residentially zoned parcels. The provision in the PRC calls for buildings to be stepped backed 2 feet for every one-foot higher than 36 feet. The re-zoning application has stipulations that require a percentage of the buildings along the main street (McDowell, Scottsdale and 74th) frontages be placed along the street but in no case shall all 60 foot high buildings be located at the 30 foot setback line. There proposed open space and pedestrian circulation plans also indicate pedestrian connections through the buildable areas to establish a set of development conditions that will create a pedestrian, campus-like development without a dominant 60 foot high mass along each of the street frontages (Attachment #5 – Draft Stipulation).

OTHER BOARDS AND COMMISSIONS

The zoning case will proceed to the Planning Commission for a recommendation and then onto the City Council for a final decision on the proposed zoning. As the project evolves and phases begin to take shape on the site, staff is committed to keeping the DRB informed with status reports. The DRB will also review the future phases of this proposal from a site planning and building design perspective.

DEVELOPMENT REVIEW BOARD RECOMMENDATION

The DRB is required to review the proposed modification to the development standards (Attachment #1). The DRB should forward a motion, with regards to the amended development standards, with a recommendation for approval, approval with conditions or denial. If the Board chooses any of these options, it would be beneficial that the Board offer their comments so as to inform the Planning Commission and City Council the reason for their recommendation.

STAFF RECOMMENDATION

The proposed limited amendments to the PC District development standards implements the vision of the ASU-Scottsdale Center as outlined in the lease agreement. They also support the recommendations of the ASU-Scottsdale Ad Hoc Advisory Working Group. Staff recommends approval, subject to the attached stipulations. The proposed amended standards will facilitate the creation of a new hub, mixed-use center in Scottsdale's revitalization area.

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APPROVED BY

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ATTACHMENTS

1. Amended Development Standards
2. Applicant's Narrative
- 2A. Development Plans
3. Context Aerial
- 3A. Aerial Close-Up
4. Zoning Map
5. Stipulations/Zoning Ordinance Requirements
6. Ad Hoc Advisory Group Design Guidelines and Development Framework

ASUF/COS P.R.C. STANDARDS WITH STRIKE-THROUGHS

CATEGORY	DEVELOPMENT STANDARD
FLOOR AREA RATIO	<i>In no case shall the gross floor area of a structure exceed the amount equal to eight-tenths multiplied by the net lot area of the P.R.C. P-C site in square feet. Gross office floor area shall not exceed forty (40) percent of total gross floor area of nonresidential buildings. The gross floor area of dwellings shall not exceed fifty (50) percent of the gross floor area of nonresidential buildings.</i>
VOLUME RATIO	<i>Volume ratio. In no case shall the volume of any structure exceed the product of the net lot area of the P.R.C. P-C site in square feet multiplied by sixteen (16) feet.</i>
BUILDING HEIGHT	<i>No building shall exceed sixty (60) feet in height except as otherwise provided in Article VII or this subsection</i>
	<i>Any building located in a P.R.C. zone which was constructed to a height in excess of sixty (60) feet prior to the effective date of this ordinance, in compliance with the then existing zoning provisions, and which is destroyed or damaged may be rebuilt to the height at which it was originally constructed.</i>
	<p><i>Where the City Council determines that a freestanding ornamental monument meets the criteria set forth below to justify a height greater than that normally allowed within the P.R.C. P-C zone, the City Council may approve a height for a freestanding ornamental monument in excess of the height allowed in the P.R.C. P-C zone. A freestanding ornamental monument shall not include signage.</i></p> <p><i>a. The Development Review Board and Planning Commission shall review and pass a recommendation on to the City Council based upon the following criteria:</i></p> <ol style="list-style-type: none"> <i>(1) Amended height for such monument shall be based on the context and character of the site and surrounding area.</i> <i>(2) Such monument shall take into account Scottsdale's history and location within the Sonoran Desert environment.</i> <i>(3) Such monument shall be designed so as to provide a focal point, which provides scale and balance to a particular site.</i> <i>(4) Such monument will be considered a community amenity and add to the city's quality of life.</i> <i>(5) Such monument shall be accessible by pedestrians and not isolated in site design.</i>
FRONT YARDS	<i>a. A minimum of twenty-five (25) percent of the total open space requirement shall be provided as frontage open space to provide a setting for the buildings, visual continuity within the community, and a variety of spaces in the streetscape, except that the frontage open space shall not be required to exceed fifty (50) square feet per one (1) foot of public street frontage, and shall not be less than thirty (30) square feet per one (1) foot of public street frontage.</i>
	<i>b. Buildings more than thirty six (36) feet in height shall be set back a minimum of two (2) feet for each foot of building height.</i>

SIDE AND REAR YARDS	<p>Buildings thirty-six (36) feet or less in height shall be set back not less than fifty (50) feet from any residential zoning district. Buildings more than thirty-six (36) feet in height shall be set back not less than two (2) feet for each foot of building height from any adjacent residential zoning district.</p> <p>All operations and storage shall be conducted within a completely enclosed building or within an area contained by a wall or fence as determined by site plan or Development Review Board approval.</p>
OPEN SPACE REQUIREMENTS	<p>In no case shall the open space requirement be less than ten (10) percent of the net lot area for zero (0) to twelve (12) feet of height, plus four tenths percent of the net lot area of the PRC site for each foot of height above twelve (12) feet; such open space shall not be required to exceed twenty (20) percent of the net lot area except as provided in section 5.2604C.3.</p> <p>Planned regional centers The P-C district shall have a portion of the development oriented towards a courtyard or mall with buildings enclosing the courtyard, and opening onto the courtyard from at least three (3) sides. The courtyard or mall shall be a minimum of one (1) percent of the net lot area of the P.R.C. P-C site in square feet. The courtyard or mall shall be considered to be open space. If, in the opinion of the Development Review Board, a suitable alternative design solution is presented, the courtyard requirement may be waived. Open space required under this section shall be exclusive of parking lot landscaping required under the provisions of article IX of this ordinance.</p>
DENSITY	<p>1. Hotels or motels shall provide a minimum gross land area of two thousand (2,000) square feet of land per guest room.</p> <p>2. Dwellings shall provide a minimum gross land area of two thousand (2,000) square feet per dwelling unit. Floor area devoted to dwellings shall not be included in calculating maximum floor area as provided in section 5.2604A.</p>
PROPERTY SIZE	<p>The gross land area on which there is a PRC P-C development shall not be less than twenty-five (25) acres.</p>
REMODELING OR REZONING OF EXISTING SHOPPING CENTERS	<p>None of the above criteria shall be reasons to deny applications to reconstruct, remodel or make additions to an existing shopping center, or to rezone an existing shopping center to P.R.C. Applications for additions to existing shopping centers shall not require compliance, except that portions of the site upon which an addition is proposed shall comply with all provisions hereof</p>
OFF-STREET PARKING	<p>The provisions of article IX shall apply, except all non-office commercial uses shall be parked at 1 space per 300 gross square feet. Structured parking shall not be calculated towards provided floor area ratio or volume requirements.</p>
SIGNS	<p>The provisions of article VIII shall apply except a master sign plan shall be submitted at the time of development review application.</p>



ASU SCOTTSDALE CENTER FOR NEW TECHNOLOGY AND INNOVATION

PROJECT NARRATIVE

Approval of the ASU-Scottsdale Center for New Technology and Innovation re-zoning application will result in a Planned Community District ("PCD"), replacing existing C3 and CS districts with a PCD consolidating amended PRC, CO, and I1 districts, under the provisions of the City of Scottsdale Zoning Ordinance and the City of Scottsdale PCD Ordinance. The re-zoning will result the redevelopment of the now vacant 42-acre former Los Arcos Mall site into a state of the art research and office park with 1.2 million square feet of laboratory, office, retail, and related uses. The development is a partnership between the City of Scottsdale, Arizona State University ("ASU"), through the Arizona State University Foundation ("ASUF"), and Higgins Development Partners and the Plaza Companies, nationally known real estate development companies.

ASU-Scottsdale Center for New
Technology and Innovation

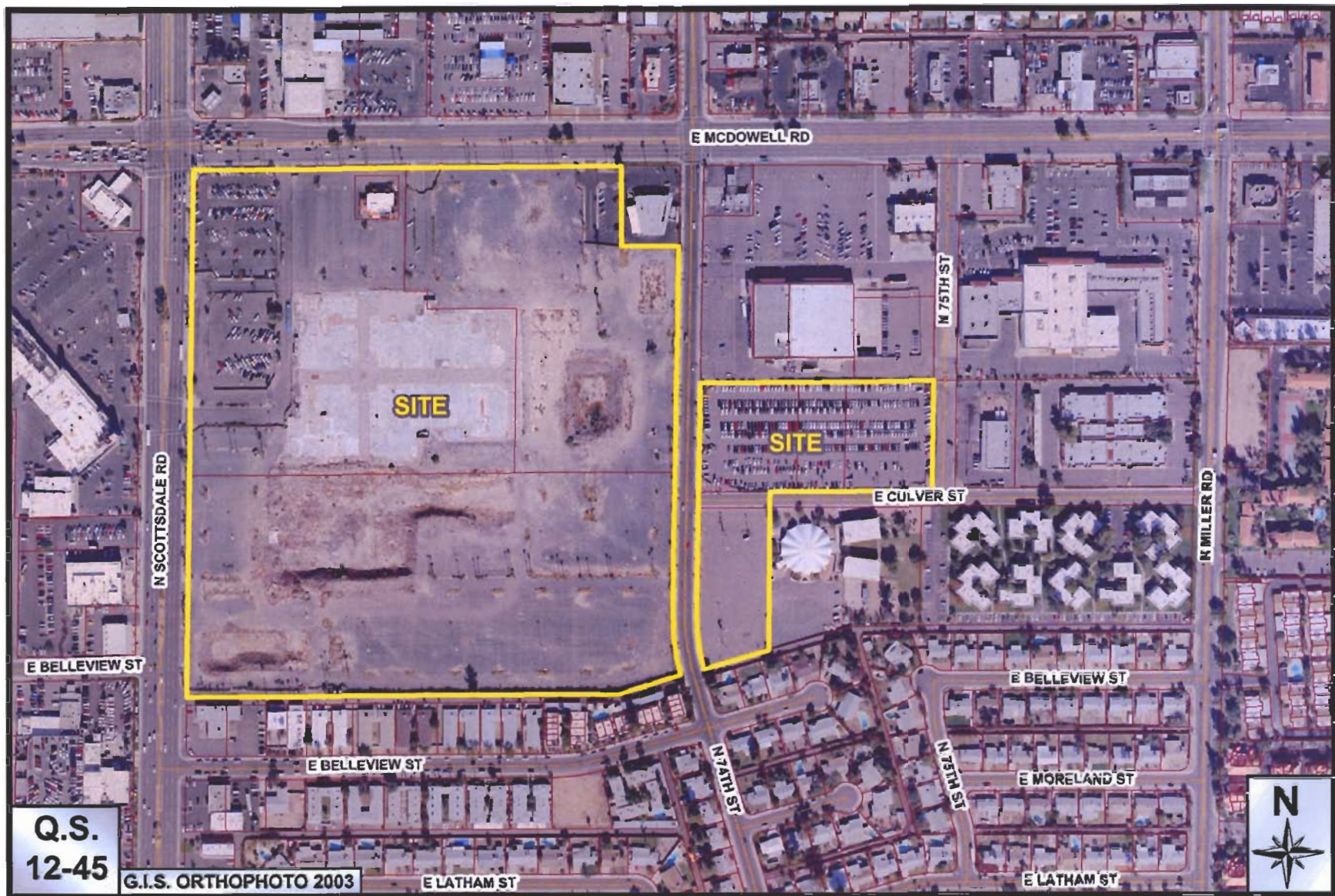
26-ZN-2004

Attachment 2A- Development Plans

The above attachment is on file at the City
of Scottsdale-Current Planning Office,
7447 E Indian School Road, Suite 105



ATTACHMENT #3

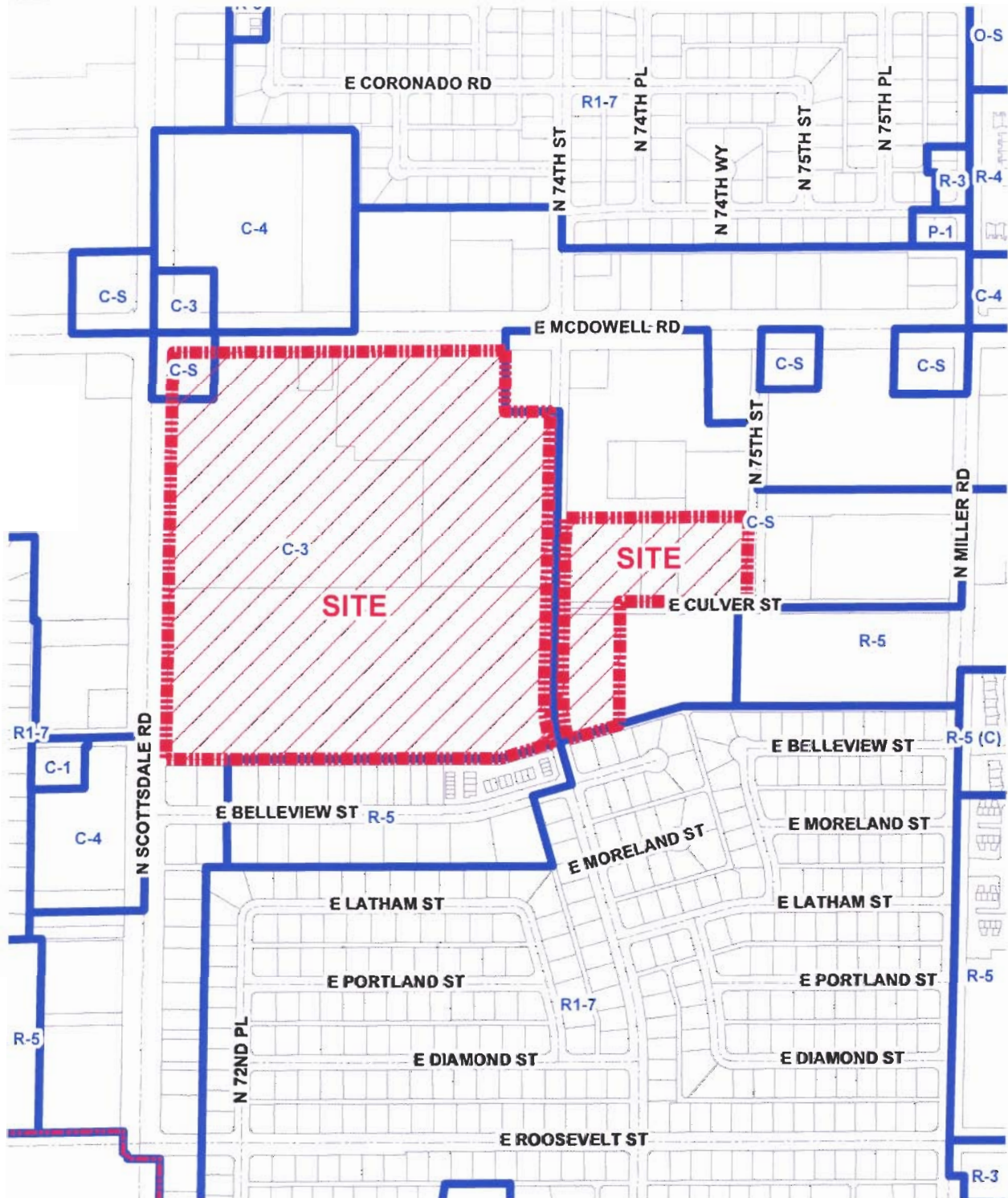


ASU-Scottsdale
Center for New Technology and Innovation

26-ZN-2004

ATTACHMENT #3A

Rezone to Planned Community District (PCD)



26-ZN-2004

ATTACHMENT #4



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CASE 26-ZN-2004

PLANNED COMMUNITY DISTRICT DEVELOPMENT PLAN

SECTION 1.0 GENERAL

1.1 PURPOSE

**1.2. CONTEXT AERIAL AND SUBJECT PROPERTY – (LEGAL
DESCRIPTION ATTACHMENT A)**

1.3 DEFINITIONS

1.4 ZONING OF PROPERTY (ATTACHMENT B)

**DEVELOPMENT FRAMEWORK PLANS
(ATTACHMENT C)**

C.1.NATURE OF DEVELOPMENT PROPOSED

C.2 LAND USE PLAN

C.3 CONCEPTUAL LANDSCAPE PLANS

C.4 CIRCULATION DIAGRAM

C.5 STREET SECTION & TRANSITION PLANS

C.6 GUIDING PRINCIPLES

SECTION 2.0 MASTER PLANS REQUIREMENTS

2.1 MASTER DESIGN CONCEPT PLAN

2.2 MASTER DRAINAGE PLAN AND REPORT

2.3 MASTER WATER PLAN AND REPORT

2.4 MASTER WASTEWATER PLAN AND REPORT

2.5 MASTER TRANSPORTATION PLAN

SECTION 3.0 DEVELOPMENT REQUIREMENTS

3.1 PERMITTED LAND USES (ATTACHMENT D)

**3.2 PLANNED COMMUNITY DEVELOPMENT STANDARDS
(ATTACHMENT E)**

3.3 CONDITIONS OF APPROVAL

STIPULATIONS**SECTION 1.0 GENERAL****1.1 PURPOSE**

This zoning is envisioned as a catalyst for the renaissance of the Scottsdale Road/McDowell Road corridor. It is intended to create a place where research interfaces with economic development, technology and innovation, and education engages with the local community.

To create this place, ASUF and the City of Scottsdale have entered into a Ground Lease which provides the parameters for the development of the site. A plan which considers the following planning and development concepts is included in this proposal: connection to and integration with adjacent residential and commercial neighborhoods; land use relationships between the site and adjacent parcels; public open spaces; circulation including pedestrian, vehicular, bicycle and transit opportunities; and parameters of development - including building massing and setbacks.

It is the intent of the City of Scottsdale and ASUF that this rezoning and Development Plan shall implement, and not conflict with the terms of the Ground Lease.

**1.2 CONTEXT AERIAL AND PROPERTY
(LEGAL DESCRIPTION ATTACHMENT A)**

1.3 DEFINITIONS

- ***Define "Ground Lease" to include any amendments thereto.***
- ***Need to use capitalized words throughout for all defined terms.***

ASUF means Arizona State University Foundation, tenant.

City means the City of Scottsdale, landlord.

Development Plan as defined and required by section 5.2100 PC district of the Scottsdale Revised Code means all plans and written descriptions in Section 1.0 through 5.0 of this document and supporting plans and reports in the 26-ZN-2005 case file.

Infrastructure means the infrastructure to be constructed by Landlord to the extent specified in the Ground Lease ("Infrastructure") which shall include the following (except to the extent that some items may be deferred by agreement of Landlord and Tenant to subsequent phases of the Center):

- (i) Demolition of existing structures and improvements;
- (ii) Any environmental remediation deemed necessary or appropriate by Landlord in its sole, absolute and unfettered discretion;
- (iii) Grading;
- (iv) Construction of streets within the boundaries of the Premises that shall be dedicated to the public, including curbs and gutters;
- (v) Installation of conduit for placement of "dry utilities" to the boundaries of the buildings envelopes depicted on the Site Plan;
- (vi) Installation of water and sewer lines to the boundaries of the building envelopes depicted on the final approved Site Plan;
- (vii) Installation of street lighting and landscaping;
- (viii) Installation of public art (estimated at one percent (1%) of the total applicable Center costs);
- (ix) Construction of the plaza and open space; and
- (x) Any other Infrastructure contemplated by the Site Plan.

Subject Property means the 42.22 acres of land as shown on Section 1.2 context aerial and property; and is defined as the Real Property pursuant to a Ground Lease dated August 9, 2004 by and between the City of Scottsdale and ASUF Scottsdale L.L.C.

Property A means the 37.06 acres leased to ASUF as shown on Section 1.2 context aerial and property; and is defined as the Property leased to ASUF pursuant to a ground lease dated August 9, 2004 by and between the City of Scottsdale and ASUF Scottsdale L.L.C.

Property B means the two parcels B-1 and B-2 totaling 5.16 acres retained by the City of Scottsdale as shown on Section 1.2 context aerial and property, and is defined as Excluded Parcels, retained by City and not leased to ASUF (in a ground

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lease dated August 9, 2004 by and between the City of Scottsdale and ASUF Scottsdale L.L.C.).

Parking Facilities means any parking lots or fields, parking structures, parking decks, parking garages or other parking facilities as Landlord may construct or cause or allowed to be constructed pursuant to the Ground Lease.

Premises means the Property, together with all appurtenances thereto and all improvements now or hereafter located thereon.

Real Property means certain real property located in the City of Scottsdale, Maricopa County, Arizona more particularly described as Parcel "A" on Exhibit xxxx, attached hereto and made a part hereof

1.4 ZONING OF PROPERTY

The specific zoning district for the property described in case 26-ZN-2004 is Planned Community (PC) District as depicted on the Zoning Map set forth in Section 2.2 context aerial and subject property. This proposed zoning creates a PC district of uses and development standards designed to implement the purpose of case 26-ZN-2004 as described in the Section 1.1 Purpose. Attachment B is a map illustrating the PCD boundary and reflecting the underlying zoning districts: I-1, C-O, and PRC

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DEVELOPMENT FRAMEWORK PLANS
(ATTACHMENT C)

The Development Frame Work Plans in Attachment C are intended to provide a general development plan for the property. Revisions to these plans shall meet the intent of the of the overall Development Plan as described in this rezoning to the satisfaction of the City Manager or designee.

C.1.NATURE OF DEVELOPMENT PROPOSED

C.2 LAND USE PLAN

C.3 CONCEPTUAL LANDSCAPE SPACE PLANS

C.4 CIRCULATION DIAGRAM

C.5 STREET SECTIONS AND TRANSITION PLANS

C.6 GUIDING PRINCIPLES

SECTION 2.0 MASTER PLANS REQUIREMENTS

MASTER PLANS & REPORTS

At the time of specific site plan submittals to the City of Scottsdale for the first building(s), the developer shall provide the following master plans: sections 5.3. A, B., C., AND D. for properties A and B-1. These plans shall include all items outlined within section 3.0, to the satisfaction of the City Manager or designee. At the time of specific site plan(s) consideration for property B-2, the required master plans and reports will be identified by the City Manager or designee.

Each master plan will identify the timing of and parties responsible for construction of all Infrastructure in accordance with the Ground Lease dated August 9, 2004 by and between the City of Scottsdale and ASUF Scottsdale L.L.C.

2.1 MASTER DESIGN CONCEPT PLAN

MASTER DESIGN CONCEPT PLAN. The Master Design Concept Plan shall incorporate the following:

- a. Development through appropriate siting and orientation of buildings should address major vistas.
- b. Streetscapes providing continuity among adjacent uses through accessible design, use of cohesive landscaping, street furniture, public art and integrated infrastructure elements.
- c. Development integrating with the surrounding pedestrian network and other alternative modes of transportation, including but not limited to bicycles and transit access.
- d. Design elements reflecting a human scale.
- e. Buildings designed to highlight important building volumes and features, such as building entries.

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- f. Interior spaces extended into the outdoors both physically and visually.
- g. Materials, colors, and textures appropriate to the region.
- h. Landscaping that complements the built environment and relate to the various uses and users.
- i. Water features safely placed in locations with high pedestrian activity.
- j. Exterior building materials that are responsive to climate, adjacent context, site orientation and building usage. Shade structures, deep roof overhangs and recessed windows.
- k. Commercial and retail uses along Scottsdale Road, McDowell Road and 74th Street located at grade level to allow pedestrian interface.
- l. Development design elements and streetscape using universal design principles.
- m. Open space design concepts for open space areas, including location, plant and landscape character, open space corridors, bikeways, and integration of drainage plans.
- n. Overall streetscape concepts, which will incorporate streetside and median landscape design concepts, plant and landscape materials, and perimeter and screen wall designs and locations. Such concepts shall be compatible with those approved or under development for Scottsdale and McDowell Roads.
- o. Typical outdoor lighting plan for streetlights and concepts, and general specifications for parking lot lighting. Lighting levels shall be transitioned where appropriate to provide the greatest intensity within the main pedestrian corridor, and a lower intensity along the perimeter of the site.
- p. General design and architectural concepts assuring overall design compatibility of all building and structures.
- q. General signage / graphic concepts for development signs, including locations and typical design concepts.
- r. Public Art and public gathering areas.
- s. Place building entrances adjacent to the pedestrian route to enhance pedestrian comfort and provide a high proportion of openings (windows and doors) in the building façade.

2.2 MASTER DRAINAGE PLAN & REPORT

1. **MASTER DRAINAGE PLAN.** The master drainage report and plan shall conform to the Design Standards and Policies Manual - Drainage Report Preparation. In addition, the master drainage report and plan shall:
 - a. Include a complete description of requirements relating to project phasing.
 - b. Describe how site design will satisfy the requirement to accommodate storage of the first 0.5 inches of rainfall, retaining the "First flush".
 - c. Describe how all of the storm water from the site will be conveyed to the 42" diameter storm drain proposed for construction in Scottsdale Road.
2. **MASTER DRAINAGE REPORT COPIES.** Before master drainage report approval, the developer shall, when requested by city staff, submit two (2) hard copies and one (1) disc copy of the complete master drainage report.
3. **MASTER DRAINAGE REPORT APPROVAL.** Before the improvement plan submittal, the developer shall have obtained approval of the master drainage report.

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2.3 MASTER WATER PLAN & REPORT

1. MASTER WATER REPORT. The master water report and plan shall conform to the Design Standards and Policies Manual - Master Plan. In addition, the master water report shall:
 - a. Include a complete description of requirements relating to project phasing.
 - b.
 - c. Discuss off-site infrastructure requirements.
 - d. MASTER WATER REPORT APPROVAL. Before the improvement plan submittal, the developer shall have obtained approval by the City Manager or designee of the master water report.

2.4 MASTER WASTEWATER PLAN & REPORT

1. MASTER WASTEWATER REPORT. The master wastewater plan and report shall conform to the Design Standards and Policies Manual - Master Plan. In addition, the master waste water plan shall:
 - a. Include a complete description of requirements for each building or group of buildings.
 - b. Demonstrate how all sewage generated on site will drain to the sewer main in Miller Road.
2. MASTER WASTEWATER REPORT APPROVAL. Before improvement plan submitted, the developer shall have obtained approval by the City Manager or designee, of the master wastewater report.

2.5 MASTER TRANSPORTATION PLAN

1. VEHICULAR CIRCULATION PLAN. The Vehicular Circulation Plan shall conform to the City's design procedures and criteria, or as amended by General Development Framework Plan. The Circulation Plan shall include at a minimum the following components:
 - a. Roadway plans showing proposed roadway network.
 - b. Traffic control analysis, including, traffic signals, etc.
 - c. Plans for phasing the improvements or plans for interim improvements necessary to accommodate the site development and ties into other planned construction improvements.
 - d. Proposed street cross-sections and associated design consistent with the approved roadway plan.
2. MASTER PARKING PLAN. A phased Parking Facilities plan shall be prepared to City Manager or designee approval. This plan shall indicate the location and number of all parking spaces with respect to each building(s) in the development. The plan shall also provide details regarding any proposed parking restrictions or validation programs, as well as analyses to substantiate mixed-use sharing and any other considerations for

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reduced parking needs. With each Development Review Board application or phase, the developer shall update this plan.

3. **BICYCLE CIRCULATION PLAN.** An overall bike circulation plan shall be submitted per phase. The Plan shall include, but not limited to, bicycle parking, sections of pathway, curb ramps at intersections, and signing. The Bicycle Circulation Plan shall include, at a minimum, the following components:
 - a. Street bikeways
 - b. Appropriate Provisions for Bicycle Parking– At each phase, the number and locations will be determined in coordination with the City Manager or designee.
 - c. Enable connection(s) to regional and/or local bicycle facilities at the Real Property boundary.
4. **PEDESTRIAN CIRCULATION PLAN.** The Pedestrian Circulation Plan shall provide general locations and dimensions for and types of pedestrian amenities including, but not limited to, shaded walkways and seating. This plan shall provide for pedestrian connectivity within the site and to adjacent facilities.
5. **TRANSIT AND TRIP REDUCTION PLAN.** With each phase, an updated Transit and Trip Reduction Plan shall be prepared, which may include, but shall not be limited to, proposed location(s) of potential transit nodes, bus stops, etc., that support regional or local transit systems.

SECTION 3.0 DEVELOPMENT REQUIREMENTS

The PC district is intended to implement the purpose as stated in section 1.1 by adhering to a specific list of permitted uses and by conforming to development standard.

3.1 PERMITTED LAND USES.

Each phase of the development shall allow to the Permitted Land Uses (Attachment C). Attachment C identifies general categories and its permitted uses; the zoning administrator may approve analogous uses which are comparable to the permitted uses by being similar in one or more important ways to the permitted uses or by resembling the permitted uses in one of more aspects.

3.2 CONFORMANCE TO PC DISTRICT DEVELOPMENT STANDARDS.

- i. Parking standards

Each phase of the development, unless otherwise approved by the City Manager or designee, shall conform to the PC District Development Standards (Attachment C)

3.3 CONDITIONS OF APPROVAL

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- a. The required open space is a minimum of 20% of the lot area of which there shall be one and one quarter (1 1/4) in the aggregate acres of public gathering space on Property A-1 which shall be placed on the site as designated in 2.2 Open space Plan. The timing of the construction of the public gathering place(s) shall be identified in the development of the first building(s).
- b. A landscape area no less than 20 feet along the southern boundary shall be provided.
- c. Scottsdale Road and McDowell Road landscape improvements shall be completed in the initial phase of development.
- d. The driveway connecting to 74th Street shall be designed and signed that through- traffic will not use 74th Street south of the property.
- e. Buildings shall be placed at the setback line along all public streets and internal roadways unless alternatives enhancing design, circulation and open space are approved by the Development Review Board.
 - 1) Building setbacks along Scottsdale Road and McDowell Road shall be a minimum of 30 feet from back of curb.
 - 2) Building setbacks along 74th Street shall be 25 feet from back of curb from existing curb or from curb.
 - 3) Buildings along the south property line up to 45 feet in height shall be setback 35 feet from the south property line. Buildings over 45 feet in height shall be setback an additional 65 feet for a total of 100 feet.
- f. Sidewalks along Scottsdale Road and McDowell Road shall be 10-foot minimum and shall be separated from the roadway by landscaping; sidewalks on 74th Street shall be eight (8) feet in width within the front setback area.
- g. Pedestrian zone along each side of the main Boulevard/Mall shall be fifteen (15) feet minimum in width.
- h. Parking structures shall not exceed maximum building height.
- i. Parking structures shall be screened from Scottsdale Road, McDowell Road, 74th Street and the main boulevards within the project to minimize views of the vehicles and the parking structures.
- j. All above ground utility equipment shall be appropriately screened by either walls or other screening methods as approved by the City Manager or designee.
- k. All non-residential development shall conform to LEED standard certification.
- l. Buildings along the Scottsdale Road, McDowell Road, 74th Street and south internal street shall have at least twenty-five percent of the lineal frontage not reaching the maximum height of sixty (60) feet in height.. A Building Massing/Envelope Plan shall be required with the first building(s) final development plan to ensure appropriate variation of building heights and pedestrian scale.

ASUF/COS PERMITTED USES

PERMITTED USES
RESEARCH & DEVELOPMENT FACILITIES
<i>Research Offices</i>
<i>Laboratories</i>
RETAIL SALES
<i>Art gallery</i>
<i>Bakery</i>
<i>Books, newspaper, magazine or stationery stores</i>
<i>Camera or photographic supply</i>
<i>Cigar, tobacco, cigarette stores</i>
<i>Drug and proprietary stores</i>
<i>Florists</i>
<i>Food stores, grocerie stores such as grocers, delicatessens, meat/fish/fruit/vegetables/ candy/nut/confectionery, dairy products and bakeries</i>
<i>Furniture, home furnishings and equipment stores such as furniture, inside window coverings, china, glassware, metalware, household appliances, radios and</i>
<i>Gift, novelty, import, art, jewelry or souvenir stores</i>
<i>Sporting goods and bicycles sales</i>
<i>Video tape rental</i>
<i>Retail sales directly related to but clearly incidental to primary manufacturing, assembly,</i>
<i>Apparel and accessories</i>
GENERAL OFFICES
<i>Banks, finance offices, lending institutions, stock brokerage firms, S&L, C.U.</i>
<i>Broadcasting station and studio, radio or TV not including transmitter/receiver</i>
<i>Business services including blueprinting and photocopying, printing, office equip rentals</i>
<i>Corporate headquarters, may include transient residential units for employees on <20 ac.</i>
<i>Finance, insurance and real estate services including banking and bank-related services,</i>
<i>Office, professional, for Accountant, architect, chiropodist, chiropractor, dentist, engineer.</i>
<i>Professional services including legal services, engineering, interior design, architectural, bookkeeping</i>

ASUF/COS PERMITTED USES

PERMITTED USES
MEDICAL OFFICES
<i>Laboratories; Medical, dental, blood bank</i>
<i>Optician</i>
<i>Pharmaceutical manufacturing</i>
GOVERNMENT
<i>Branch post office</i>
<i>Cultural activities including libraries and museums</i>
<i>Museum, library, post office</i>
<i>Colleges and universities having a regular curriculum</i>
SERVICES
<i>Business schools</i>
<i>Educational services including art & music schools, dancing, college or university extensions</i>
<i>Establishments supplementary to other permitted uses such as Pharmacy, apothecary shop, optical</i>
<i>photography, music, drama, dance, excluding commercial gymnasium, dance hall or job</i>
<i>Public assembly facilities including indoor motion picture theaters and legitimate theatres</i>
<i>Private businesses, professional and civic clubs and associations</i>
<i>Restaurants; eating establishments</i>
<i>Health Studio</i>

ASUF/COS PERMITTED USES

PERMITTED USES
PERSONAL SERVICES
<i>Day care</i>
<i>Health studio</i>
<i>Recreational facilities including ice skating, roller skating, bowling, gymnasiums, racquet, paddle or handball, health, and fitness centers</i>
<i>Studio: for professional work, or teaching of any form of commercial or fine arts,</i>
<i>Travel agency</i>
RESIDENTIAL
<i>Hotels, motels and Inns</i>
<i>Multi-family residential</i>

ASU-Scottsdale Center for New Technology and
Innovation

26-ZN-2004

Attachment #6-Design Guidelines and Development
Framework for the ASU-Scottsdale Center for New
Technology and Innovation and the Surrounding
Area.

The above attachment is on file at the City of Scottsdale-
Current Planning Department, 7447 E Indian School Road,
Suite 105.

Or you can review this document on the web at
<http://www.scottsdaleaz.gov/ASUScottsdale/guidelines>